

1 MARK VINCENT KAPLAN (SBN 58836)  
2 JAMES M. SIMON (SBN 109913)  
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5 Attorneys for Respondent  
6 KEVIN FEDERLINE

**FILED**  
LOS ANGELES SUPERIOR COURT

OCT 10 2007

JOHN A. CLARKE, CLERK

*M. Arnold*  
BY M. ARNOLD, DEPUTY

7  
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF LOS ANGELES**

10  
11 In re Marriage of:

12 Petitioner: BRITNEY SPEARS

13 and

14 Respondent: KEVIN FEDERLINE  
15  
16

CASE NO. BD 455 662

KEECH DECLARATION OF MARK  
VINCENT KAPLAN IN SUPPORT  
OF RESPONDENT'S OSC REQUEST  
FOR PAYMENT OF ATTORNEY  
FEES AND COSTS

Comr. Scott Gordon  
Dept. 88

CONDITIONALLY UNDER SEAL

KAPLAN & SIMON, L.L.P.

ATTORNEYS AT LAW  
2049 CENTURY PARK EAST, SUITE 2660  
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1 litigation, the pleadings are voluminous and all hearings have been contested and  
2 expensive.

3 5. Set forth below and in the attached billing statements are a description of  
4 the services we performed and the number of hours worked, how much work has been  
5 done and what work needs to be done and the reasons therefor, and why Respondent's  
6 requested amount for fees and costs is "just and reasonable" under the parties' relative  
7 circumstances. Respondent further refers the Court to Respondent's Memorandum of  
8 Points and Authorities in support of his entitlement to "need" based attorney fees and  
9 costs attached to his initial moving papers filed on August 8, 2007.

10 a. For Respondent's initial filing on August 8, 2007 of the subject OSC  
11 to modify custody, we conducted an extensive investigation, interviewed numerous  
12 witnesses and prepared five declarations with 29 exhibits and memorandum of points  
13 and authorities. The declarations submitted on behalf of Respondent provided the  
14 Court with material evidence to substantiate Respondent's requests for relief including,  
15 without limitation, the following:

16 • Petitioner's mental stability, lack of judgment, drinking, drug use,  
17 inappropriate behavior, and lack of routine and structure in regard to the children's daily  
18 activities;

19 • Petitioner's prior refusal to provide Respondent with any type of  
20 regular schedule for him to see the children and information pertaining to their location  
21 and well being;

22 • Petitioner's extensive travel with the children and repeated  
23 removal of the children from California in violation of the ATROs and over the express  
24 objections of Respondent that she not do so;

25 • Petitioner's failure to provide appropriate medical and dental care  
26 for the children and to follow medical advice and prescriptions;

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1                   • Petitioner's revolving door of nannies, "mannies," assistants and  
2 security guards to take care of the children which, to our knowledge, includes at least  
3 10 nannies in the last year; and

4                   • Petitioner's in-and-out trips to rehab and ongoing failure to  
5 provide required proof of her compliance with her discharge recommendations from  
6 Promises Treatment Center. (For several months prior to filing the OSC, we attempted,  
7 without success, to obtain from Petitioner her discharge records from Promises and  
8 proof of her compliance therewith from Dr. Wyman.)

9                   b.     We appeared for three hearings with regard to sealing of the file  
10 alone.

11                   c.     On August 16, 2007, responsive to Petitioner's request that we  
12 stipulate to continue the September 17 OSC hearing, we sent a detailed proposal to  
13 Petitioner's former counsel for a stipulation to continue the OSC hearing. Petitioner  
14 rejected all conditions and did not make a counter-proposal. On August 17, 2007, we  
15 made a written offer to Petitioner's former counsel to exchange witness lists and to  
16 obtain voluntary acceptance of service of deposition subpoenas, to which we never  
17 received a response. On August 27, 2007, we filed written opposition and appeared in  
18 Court to successfully oppose Petitioner's ex parte application to continue the  
19 September 17 hearing date.

20                   d.     On September 4, 2007, the Court ordered that there be a 730  
21 custody evaluation, which we had initially proposed in writing to Petitioner back on June  
22 28, 2007 (see Exhibit V to moving papers). Petitioner did not manifest her consent to  
23 Respondent's requested 730 evaluation until the filing of her responsive papers on  
24 September 4, 2007.

25                   e.     Depositions are expensive but unavoidable discovery in the course  
26 of custody litigation of this size and complexity, given our duties of competence as  
27 family law attorneys. We are very careful in planning depositions owing to the high cost  
28 thereof and do not undertake depositions unless they are necessary. Despite repeated

8/18/2019

1 requests to Petitioner's former counsel, no date was ever offered for the taking of  
2 Petitioner's deposition. We then proceeded with deposition subpoenas to relevant non-  
3 party witnesses in preparation for the hearing. With respect to such non-party  
4 witnesses, I believed it would not be prudent to attempt to arrange service through  
5 Petitioner's counsel, who did not have nor claimed to have the authority to act or speak  
6 on behalf of such persons with respect to service. In fact, in paragraph 3 of Laura  
7 Wasser's responsive declaration filed August 31, 2007, she states: "As Petitioner's  
8 attorneys, we have little or no say in the scheduling of third-party deponents and will  
9 simply appear whenever the deposition ultimately takes place in order to represent  
10 Petitioner." I was also concerned with respect to the potential of alerting such  
11 witnesses to a forthcoming service, who I believed would then be inclined to avoid  
12 service. Accordingly, private investigators were retained to locate and serve subpoenas  
13 on the non-party witnesses. I felt justified in my decision when I viewed the videotape  
14 of the service on Petitioner's former assistant, Alli Sims, during which she claimed she  
15 never touched the subpoena. Thereafter, Petitioner's requested that I send her another  
16 copy of the Sims' subpoena because Petitioner tore it up.

17 f. On September 6, 2007, we took the deposition of Petitioner's  
18 former business manager, Larry Rudolph. On September 7, 2007, we took the  
19 deposition of Petitioner's former assistant, Shannon Funk. On September 11, 2007, we  
20 took the deposition of Petitioner's former assistant, Alli Sims.

21 g. On September 11, 2007, we filed Respondent's reply brief and  
22 declarations of James Simon, Mark Kaplan and Kevin Federline in support of  
23 Respondent's OSC to modify custody. We further filed Respondent's evidentiary  
24 objections to the responsive declarations filed on behalf of Petitioner (the Court granted  
25 the majority of Respondent's objections).

26 h. On September 12, 2007, we took the deposition of Petitioner's  
27 former bodyguard and part-time nanny, Damen Shippen. Also on September 12, 2007,

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8/20/20

1 we attended a voluntary settlement conference with Judge Stephen Lachs, from which  
2 Petitioner departed prior to the conclusion of the conference.

3 i. On September 13, 2007, we filed the declaration of James M.  
4 Simon Re Appointment of Evaluator (though ordered by the Court, Petitioner failed to  
5 meet and confer with regard to selection of the evaluator and did not timely submit her  
6 list of proposed evaluators).

7 j. At the hearing on September 17, 2007, the Court made certain  
8 specific and detailed orders with regard to the minor children, including that Petitioner  
9 submit to random drug and alcohol testing, engage in individual counseling to address  
10 parenting issues at least once per week, and meet with a parenting coach for at least  
11 two sessions per week during her custodial time. Following the Court's ruling, there  
12 were delays in obtaining Petitioner's compliance with the aforementioned orders that  
13 were effective on September 17, 2007.

14 k. On September 20, 2007, we participated in a conference call with  
15 the Court and Petitioner's counsel in an attempt to resolve the selection of the drug  
16 testing facility and the methodology for testing. Petitioner's counsel required a court  
17 appearance to address the issues. On September 24, 2007, we appeared in Court and  
18 the Court appointed the testing facility and the methodology of urine analysis requested  
19 by Respondent.

20 l. Subsequently, Petitioner did not stipulate that three attempts by the  
21 drug testing facility over the course of at least one hour without a response from  
22 Petitioner shall constitute a failure to test. Petitioner also failed and refused to provide  
23 proof of her valid California driver's license and insurance. Accordingly, on September  
24 28, 2007, Respondent brought separate written *ex parte* applications for entry of the  
25 order re drug and alcohol drug testing of Petitioner and entry of an order re proof of  
26 Petitioner's valid license and insurance. The Court entered each of the aforementioned  
27 orders with minor modification. We further advised the Court that Petitioner had failed  
28 and refused to execute the order after hearing on Respondent's OSC and the

8/30/90

1 Stipulation and Order re Child Custody Evaluation, each prepared by Respondent's  
2 counsel and orally approved by Petitioner's counsel. The Court ordered Petitioner to  
3 either sign the orders or appear in Court on October 1, 2007.

4 m. On October 1, 2007, we appeared in Court and Petitioner did not  
5 appear. Based on the argument of counsel and evidence presented at the hearing, the  
6 Court ordered that the minor children shall remain in Respondent's custody pending the  
7 hearing on Respondent's *ex parte* application to modify custody we noticed at that  
8 hearing and set for October 3, 2007 at 1:30 p.m.

9 n. On October 2, 2007, we filed and served Respondent's *ex parte*  
10 application to be heard the next day to modify child custody and visitation based on  
11 Petitioner's ongoing failure to comply with various orders made by the Court, including  
12 her failure to submit to a properly requested alcohol and drug test. Our *ex parte* papers  
13 included three declarations to establish Petitioner's non-compliance and memorandum  
14 of points and authorities. We also subpoenaed to the hearing two witnesses to  
15 Petitioner driving the children after she failed to provide Respondent proof of her valid  
16 license and insurance, which the court had ordered be a condition to her driving the  
17 children.

18 o. On October 3, 2007, we appeared at the over three-hour hearing  
19 on Respondent's *ex parte* application to modify custody. The Court modified the  
20 custody order and made certain specific additional orders for the protection of the minor  
21 children, including that Petitioner's parenting time shall be in the presence of a  
22 professional monitor and the parenting coach pending further order of Court.

23 6. As described above, for each application we made to the Court on behalf  
24 of Respondent, the Court granted material relief and made specific orders for the  
25 protection of the children and to stabilize the situation pending completion of the 730  
26 evaluation and presentation of additional evidence. Respondent's litigation expenses  
27 incurred in connection with his OSC to modify custody for the period July 31, 2007  
28 forward is in the sum of \$148,472 for attorney fees and \$42,956 for costs, of which

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1 \$31,913 has been paid, leaving a balance due of \$159,515 as of October 8, 2007.  
2 Attached hereto as **Exhibit A** and incorporated herein by this reference are true and  
3 correct (redacted) copies of the itemized statements of Respondent's aforementioned  
4 attorney fees and costs.

5 7. There will be significant additional attorney fees and costs to be incurred  
6 by Respondent. As of the writing of this declaration, we received notice from  
7 Petitioner's counsel that she will bring an ex parte application on October 11, 2007 to  
8 modify the order made by the court on October 3, 2007. We are now scheduled to  
9 commence Petitioner's deposition on October 22, 2007. We anticipate that several  
10 additional non-party depositions will be necessary as described in my prior moving  
11 declaration. We have already experienced opposition to outstanding non-party  
12 deposition subpoenas, including blanket objections received from counsel representing  
13 Betty Wyman and Promises Treatment Center. We expect Respondent will incur  
14 attorney fees and costs in "meet and confer" efforts as well as discovery motions in  
15 order to obtain compliance with these subpoenas.

16 8. We will continue to communicate and negotiate with Petitioner's counsel  
17 to amicably resolve issues, many of which have been resolved by stipulations between  
18 counsel.

19 9. Per Respondent's current Income & Expense Declaration filed herewith,  
20 he has no net income after business expenses. Respondent's currently receives child  
21 support of \$15,000 per month and Respondent's receipt of spousal support of \$20,000  
22 per month will end on November 15, 2007. Per Petitioner's Income & Expense  
23 Declaration dated May 21, 2007, a copy of which is attached as Exhibit CC to  
24 Respondent's original moving papers filed on August 8, 2007, her average monthly  
25 income is \$737,868 and Petitioner lists that she spends \$102,000 per month on  
26 entertainment, gifts and vacations alone. In addition, I have reviewed Petitioner's  
27 schedule of assets and debts dated May 31, 2007, in which she lists that her net worth  
28 is approximately \$30 million, which includes real properties believed to be listed at cost.



California Judicial Branch News Service cjbns.org  
Socioeconomic Justice Institute socioeconomicinstitute.com  
05/20/08

1 Thus, Petitioner clearly has discretionary financial resources available to contribute to  
2 Respondent's reasonable and necessary attorney fees and costs incurred in seeking  
3 relief for the protection of the minor children.

4 10. Petitioner's former attorneys, Laura Wasser and Mel Goldsman, have  
5 each informed me that their firms have been paid in full. Further, Petitioner presumably  
6 paid a retainer to the Trope office when they entered this case on September 20, 2007.  
7 While Petitioner is presumably current in the payment of her litigation expenses and  
8 has the financial resources to stay current, Respondent should at least be in the  
9 position to have Petitioner pay his counsel's present balance due for fees and costs  
10 incurred in obtaining orders for the protection of the children based on the conduct of  
11 Petitioner. Based upon the relative financial circumstances of the parties and the other  
12 relevant factors pursuant to Family Code sections 2030 and 2032 and *Marriage of*  
13 *Keech*, Respondent respectfully requests that the Court order Petitioner to pay his  
14 counsel a pendente lite award of attorney fees and costs in the sum of \$160,000.

15 I declare under penalty of perjury under the laws of the State of California that  
16 the foregoing is true and correct.

17 Executed on October 10, 2007.

18   
19 MARK VINCENT KAPLAN  
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06/08/18

EXHIBIT

A

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**Kevin Federline  
c/o Larry Kantor  
Kantor Accountancy Corporation  
16830 Ventura Blvd, Ste. 326  
Encino, CA 91436**

9/20/10

### ***Services Rendered***

[illegible]

33-27160

**JMS**

**4.25**

**\$450.00**

**\$1,912.50**

Kaplan & Simon, L.L.P.  
Attorneys at Law  
2049 Century Park East, Suite 2660  
Los Angeles, CA 90067

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Kevin Federline  
c/o Larry Kantor  
Kantor Accountancy Corporation  
16830 Ventura Blvd, Ste. 326  
Encino, CA 91436

Date: 9/07/2007  
Invoice #: 04857

Regarding: Federline, Kevin

**Services Rendered**

Date	Atty	Description	Hours	Rate	Charges
8/01/2007	JMS	Draft McCarthy declaration; conference with MVK and review US magazine article	3.75	\$500.00	\$1,875.00
8/01/2007	MVK	Preparation of order to show cause	4.00	\$550.00	\$2,200.00
8/02/2007	JMS	Correspondence to Wasser re deeds; correspondence to client re support stipulation; telephone conference with McCarthy re declaration and revise declaration; draft declarations of [REDACTED]	5.25	\$500.00	\$2,625.00
8/03/2007	JMS	Draft Simon declaration re OSC to modify custody	5.50	\$500.00	\$2,750.00
8/03/2007	MVK	Preparation of order to show cause and interview witnesses	4.50	\$550.00	\$2,475.00
8/05/2007	JMS	Draft client declaration	3.75	\$500.00	\$1,875.00
8/05/2007	MVK	Preparation of declaration and interview witnesses	3.00	\$550.00	\$1,650.00
8/06/2007	JMS	Multiple telephone conferences with witnesses and client; revise witness declaration.; research and review media accounts on-line; draft client declaration; e-mail declaration to client for review	9.25	\$500.00	\$4,625.00
8/07/2007	JMS	Draft client declaration and OSC forms; review each party's financials and draft declaration [REDACTED] telephone conferences and e-mails [REDACTED] re update to client's cash flow;	9.75	\$500.00	\$4,875.00

		correspondence to L. Wasser re acceptable custody stipulation; research and prepare notice of records filed under seal; prepare points and authorities re fees			
8/08/2007	JMS	Finalize OSC and organize exhibits and documents for filing; legal research; prepare notice of OSC filed conditionally under seal; memo to MVK re filing instructions; prepare deposition notice of petitioner with production of documents	7.25	\$500.00	\$3,625.00
8/08/2007	NMV	File motion regarding custody	2.25	\$225.00	\$506.25
8/09/2007	JMS	Research location of witnesses; prepare subpoena with document production to Betty Wyman, records only, subpoena to Promises and deposition subpoenas to Alli Sims and Sam Lutfi	3.75	\$500.00	\$1,875.00
8/09/2007	MVK	Reviewed witness statements	0.50	\$550.00	\$275.00
8/10/2007	JMS	Correspondence to L. Wasser re Britney's deposition; prepare subpoenas to Wyman and Sims; e-mail re locate	2.25	\$500.00	\$1,125.00
8/13/2007	JMS	Prepare subpoenas and deposition notices for custodian of records of Promises, Rudolph, Shippen and Funk; review minute orders; memo re witnesses; prepare declaration of witness	3.25	\$500.00	\$1,625.00
8/14/2007	JMS	Court appearance re motion to seal; prepare subpoenas to four witnesses; research re service addresses; telephone conference with client; conference MVK and investigator; prepare notice to appear and produce to Britney; research and draft notice of request for evidentiary hearing	5.75	\$500.00	\$2,875.00
8/14/2007	MVK	Court appearance	1.50	\$550.00	\$825.00
8/15/2007	JMS	Prepare notice of deposition re Shannon Funk; review and reply to e-mails re witness; memo re status of service of subpoena; conference MVK re mediation and non-party witnesses	1.25	\$500.00	\$625.00
8/16/2007	JMS	Research and service instructions re Wyman, Rudolph and Promises	1.25	\$500.00	\$625.00
8/17/2007	JMS	Telephone conference with Bob Wyman re service and deposition of Betty Wyman; conference re service; memo to file re same; correspondence and telephone conference with D. Wasser re conditions to continuance; correspondence to L.	3.75	\$500.00	\$1,875.00

Wasser re acceptance of service re non-party witnesses; conference MVK re discovery and OSC preparation; telephone conference and e-mail [REDACTED] re client's cash flow available for support and income and expense declaration

8/20/2007	JMS	Review media articles re Spears	0.75	\$500.00	\$375.00
8/21/2007	JMS	Correspondence to D. Wasser re discovery; telephone conferences with Alli Sims re deposition; prepare notice of taking deposition re Hallet	1.25	\$500.00	\$625.00
8/22/2007	JMS	Conf MVK re depositions and Britney ex parte for continuance	0.75	\$500.00	\$375.00
8/23/2007	JMS	Conference MVK re depositions and ex parte; telephone conference [REDACTED] prepare proofs of service re Hallet and Promises; e-mail [REDACTED] re proofs of service and service status	1.75	\$500.00	\$875.00
8/24/2007	JMS	Telephone conference [REDACTED] and conference MVK; correspondence [REDACTED] re service of ex parte papers; prepare response to ex parte application	4.50	\$500.00	\$2,250.00
8/24/2007	MVK	Preparation regarding ex parte	1.00	\$550.00	\$550.00
8/26/2007	JMS	Review Britney's ex parte application for continuance; prepare response	4.75	\$500.00	\$2,375.00
8/27/2007	JMS	Ex parte hearing; telephone conference with Nan Zirafi re Sims deposition; telephone conference with [REDACTED] re papers; conference call Court re redaction of papers; telephone conference re witness service	4.75	\$500.00	\$2,375.00
8/27/2007	MVK	Ex parte motion	4.00	\$550.00	\$2,200.00
8/28/2007	JMS	Telephone conferences with Doug Hunter, William Hailey and Alla K [REDACTED]; prepare order after hearing; conference MVK re discovery; review Wasser and court redactions to ex parte papers and conference call with court clerk re approval	2.25	\$500.00	\$1,125.00
8/29/2007	JMS	Prepare order after hearing; telephone conference with Nan Zirafi and revise order; telephone conferences and e-mail instructions re Rudolph service; research re sealing motion; telephone	2.75	\$500.00	\$1,375.00

conference [REDACTED] memo to file

8/30/2007	JMS	Conference MVK [REDACTED]	0.75	\$500.00	\$375.00
8/30/2007	MVK	Telephone conferences re service of witness; multiple telephone conferences with opposing counsel and conciliation court	1.00	\$550.00	\$550.00
8/31/2007	JMS	Telephone conference and e-mail R. Wyman re B. Wyman deposition; prepare deposition notice; telephone conference with Nan and e-mail [REDACTED] deposition and prepare Sims deposition notice; correspondence to Alli re deposition schedule; review opposition to motion to seal; prepare joinder; conference MVK [REDACTED] telephone conferences with Alla [REDACTED] and MVK re 9/4 hearing; memo to file	4.25	\$500.00	\$2,125.00

Total Fees \$58,356.25

**Expenses**

<u>Date</u>	<u>Description</u>	<u>Charges</u>
	Administrative fee	\$2,334.25
8/01/2007	Notary fees; Ck #8553	\$80.00
8/07/2007	LASC; filing fee; Ck #8562	\$65.00
8/08/2007	Video Monitoring Services; Inv. #10-190-0173829	\$271.12
8/23/2007	World Wide Digital Solutions; litigation copies; Inv. #3506	\$329.63
8/29/2007	Ginger Welker; 8/27/07 transcript; Ck #8630	\$67.00
8/30/2007	Larry Rudolph; witness fees; Ck #8669 & #8670	\$70.00
8/30/2007	IMS Security; process server fees; Ck #8673	\$5,000.00
8/31/2007	Parking fees	\$20.00

Total Expenses \$8,237.00

Total New Charges \$66,593.25

Previous Balance \$25,042.70

8/08/2007 Payment 2225 \$-7,950.85

Total Payments and Credits \$-7,950.85

Balance Due \$83,685.10



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c/o Larry Kantor  
Kantor Accountancy Corporation  
16830 Ventura Blvd, Ste. 326  
Encino, CA 91436

Date: 10/04/2007  
Invoice #: 05100

Regarding: Federline, K.

**Services Rendered**

Date	Atty	Description	Hours	Rate	Charges
9/04/2007	JMS	Dept. 88 status conference; conference with Wasser & Wasser re interim orders	3.75	\$500.00	\$1,875.00
9/04/2007	MVK	Court status conference and conference with Wasser & Wasser.	3.75	\$550.00	\$2,062.50
9/05/2007	JMS	██████ research and deposition preparation; review responding declarations of BS, Sims, Funk, Murray and Wasser	4.25	\$500.00	\$2,125.00
9/06/2007	JMS	Deposition of Larry Rudolph; draft evidentiary objections to declarations of Spears, Wasser, Funk, Sims and Murray and order thereon	8.25	\$500.00	\$4,125.00
9/06/2007	MVK	Reviewed declarations and deposition attendance of Rudolph, conference JMS; telephone conferences with Alla ██████	6.50	\$550.00	\$3,575.00
9/07/2007	JMS	Funk deposition preparation and deposition; draft evidentiary objections	5.75	\$500.00	\$2,875.00
9/10/2007	JMS	Review rough deposition transcripts of Larry Rudolph and Shannon Funk; draft reply brief and declaration of JMS; draft deposition subject matters ██████	9.75	\$500.00	\$4,875.00
9/10/2007	MVK	Reviewed responding papers re OSC; draft reply declaration of MVK	4.25	\$550.00	\$2,337.50

9/11/2007	JMS	Memo and conference MVK re Sims deposition preparation; telephone conference with client; prepare client declaration and fee declaration; telephone conference [REDACTED] telephone conference with Judge Lachs office and correspondence to Judge Lachs re mediation	5.75	\$500.00	\$2,875.00
9/11/2007	MVK	Deposition of Alli Sims	6.00	\$550.00	\$3,300.00
9/12/2007	JMS	Review correspondence from Hallet's attorney; prepare and e-mail on-call agreement for Christine Hallet; prepare civil subpoena and on-call agreement for Shippen for 12/18 hearing; revise Hallet on-call agreement; voluntary settlement conference preparation; voluntary settlement conference with Judge Lachs; prepare JMS declaration re 730 evaluators	6.50	\$500.00	\$3,250.00
9/12/2007	MVK	Deposition of Damen Shippen; client conference; voluntary settlement conference with Judge Lachs	8.00	\$550.00	\$4,400.00
9/13/2007	JMS	Revise JMS declaration [REDACTED] memo to MVK re oral argument and requested orders; conference MVK re voluntary settlement conference [REDACTED] e-mails to Sims attorney re receipt of on-call agreement for Sims; review Sims rough deposition transcript	4.75	\$500.00	\$2,375.00
9/13/2007	MVK	Meeting with client	2.00	\$550.00	\$1,100.00
9/17/2007	JMS	Court hearing re OSC; telephone conferences with Sentinel [REDACTED]	4.25	\$500.00	\$2,125.00
9/17/2007	MVK	Court hearing re OSC	3.50	\$550.00	\$1,925.00
9/18/2007	JMS	Telephone conference with Strachan and Hacker offices [REDACTED] review transcript of 9/4/07 hearing and prepare order; review notes of 9/17/07 hearing and prepare order; review minute order and revise order; telephone conference with Sentinel [REDACTED] correspondence to Goldman re orders and procedures for drug and alcohol testing; telephone conference with Doug Hunter re 9/17 order after hearing; telephone conference [REDACTED] re Income and expense declaration, cash flow available for support and personal and corporate balance sheets	6.75	\$500.00	\$3,375.00
9/19/2007	JMS	Telephone conference and correspondence to Goldman re order; conference call with court;	3.25	\$500.00	\$1,625.00

multiple telephone conferences with Gibbs, Sentinel, Hacker [REDACTED] re compliance procedures re court orders; conference call with court and Goldman; telephone conference [REDACTED] re case status and order

9/20/2007	JMS	Prepare stipulation and order re custody evaluation; telephone conference with Sentinel re drug testing and memo to file; telephone conference [REDACTED] re testing, appointment of custody professionals and orders after hearing; telephone conference with Trope and Commissioner Gordon; prepare revised stipulation re custody counselors; correspondence [REDACTED] telephone conference [REDACTED] re Monday hearing	5.75	\$500.00	\$2,875.00
9/21/2007	JMS	Telephone conference with Hacker [REDACTED] telephone conference with Sentinel [REDACTED] re hearing and testing protocols; review test procedures materials	1.25	\$500.00	\$625.00
9/24/2007	JMS	Court appearance re drug testing; conference [REDACTED] re drug testing; revise stipulation and order re Shatz appointment; telephone conference [REDACTED] prepare stipulation and order re drug testing; telephone conference and e-mail [REDACTED] re approval	4.25	\$500.00	\$2,125.00
9/24/2007	MVK	Court appearance	2.75	\$550.00	\$1,512.50
9/25/2007	MVK	Pick up transcript from dept. 88	0.15	\$550.00	\$82.50
9/26/2007	JMS	Review Scott e-mail re changes to orders; review 9/17/07 transcript re order; revise 9/17/07 order after hearing; telephone conference [REDACTED] re test protocol and notice; revise drug and alcohol testing order; e-mail Scott revised orders; correspondence to Scott re transcript; telephone conference with Scott re revised orders and extension re Income and expense declaration and Keech declaration; pull income and expense declaration re cash flow available for support	3.75	\$500.00	\$1,875.00
9/27/2007	JMS	On-line research [REDACTED] prepare ex parte application re proof of license and Insurance, declaration of MVK and order after hearing; telephone conferences with deputy city attorney [REDACTED] obtaining certified copy of order; prepare ex parte application re drug testing order and declarations	7.50	\$500.00	\$3,750.00

of JMS [REDACTED] in support thereof; e-mail Shatz re stipulation and order; correspondence to Shatz re retainer and court orders; e-mail and telephone conference [REDACTED] client contact; telephone conference and fax to Allison [REDACTED] court orders and consent form

9/28/2007	JMS	File ex partes and court appearance re orders for Spears' proof of license and insurance and for drug and alcohol testing; telephone conference and e-mail to testing facility; telephone conferences with client and Allison [REDACTED] e-mail to Scott re Federline's driver's license and insurance and request for Spears contact info re drug and alcohol testing; review correspondence from Gibbs and e-mail to Gibbs re order of appointment and payment of retainer; telephone conference and e-mail Hacker [REDACTED]	6.00	\$500.00	\$3,000.00
9/28/2007	MVK	Court appearance re orders for Spears' proof of license and insurance and for drug and alcohol testing	2.75	\$550.00	\$1,512.50

Total Fees \$67,557.50

**Expenses**

Date	Description	Charges
	Administrative fee	\$2,702.30
9/07/2007	Dianne Jones; deposition of Shannon Funk; Inv. #07-2239	\$539.50
9/12/2007	Ginger Welker; transcript; Ck #8720	\$37.00
9/12/2007	ADR Services; mediation; Ck \$8721	\$1,287.50
9/12/2007	Dianne Jones; deposition of Damon Shippen; Inv. #07-2248	\$663.00
9/17/2007	IMS Security Services; investigation and service of process	\$18,000.00
9/17/2007	Mega Group; Inv. #70719235	\$7,498.25
9/17/2007	Diane Jones & Assoc.; deposition of L. Rudolph; Inv #07-2232	\$1,137.00
9/20/2007	LASC; filing fee; Ck #8739	\$20.00
9/24/2007	Ginger Welker; 9/24/07 transcript; Ck #8750	\$55.00
9/27/2007	LASC; filing fees; Ck #s 8773 & 8774	\$80.00
9/27/2007	Dianne Jones; deposition of Alluwee Sims; Inv. #07-2247	\$1,417.50
9/30/2007	Parking fees	\$136.00
9/30/2007	Messenger services through September 2007	\$280.90

Total Expenses \$33,853.95

Total New Charges \$101,411.45

Previous Balance		\$83,685.10
9/06/2007	Payment	2241
		\$-22,091.85
9/28/2007	Payment	1023
		\$-25,000.00
Total Payments and Credits		\$-47,091.85
Balance Due		<u>\$138,004.70</u>

Kaplan & Simon, L.L.P.  
Attorneys at Law  
2049 Century Park East, Suite 2660  
Los Angeles, CA 90067

CONFIDENTIAL

Kevin Federline  
c/o Larry Kantor  
Kantor Accountancy Corporation  
16830 Ventura Blvd, Ste. 326  
Encino, CA 91436

Date: 10/09/2007  
Invoice #: 05182

Regarding: Federline, K.

**Services Rendered**

Date	Atty	Description	Hours	Rate	Charges
10/01/2007	JMS	Court appearance re failure to sign orders; telephone conference with Jones [REDACTED] [REDACTED] telephone conference [REDACTED] re petitioner's failure to test; prepare declarations of JMS, Jones, and Cripe re ex parte application for modification of custody	6.00	\$500.00	\$3,000.00
10/01/2007	MVK	Court appearance	3.25	\$550.00	\$1,787.50
10/02/2007	JMS	Revise Simon declaration; research and prepare memorandum of points and authorities; telephone conference with Trope re testing notice to Spears' staff; telephone conference [REDACTED] re income and expense declaration; telephone conference [REDACTED]	3.00	\$500.00	\$1,500.00
10/02/2007	MVK	Telephone conference with opposing counsel; conference JMS	1.25	\$550.00	\$687.50
10/02/2007	RA	Prepare two subpoenas [REDACTED] conference MVK	1.00	\$325.00	\$325.00
10/03/2007	JMS	Hearing preparation and memo re oral argument; court hearing re modification of custody	6.25	\$500.00	\$3,125.00
10/03/2007	MVK	Conference with client; court appearance re modification of custody	5.25	\$550.00	\$2,887.50
10/04/2007	JMS	Telephone conference [REDACTED]	4.00	\$500.00	\$2,000.00

telephone conference with Hacker re schedule;  
 telephone conferences with Howe and client [REDACTED]  
 [REDACTED] telephone conferences  
 [REDACTED] schedule and monitoring conditions;  
 e-mail Hacker re orders and schedule; e-mail  
 Shatz re orders; e-mail [REDACTED] Gibbs retainer;  
 e-mail [REDACTED] re court orders for monitoring and  
 emergency contact info and e-mail Alison [REDACTED]  
 [REDACTED] form

10/05/2007	JMS	Multiple telephone conferences with Allah K, Karen W, client, Allison, MVK and Hunter [REDACTED] [REDACTED] telephone conferences with [REDACTED] [REDACTED] Hacker and Scott; review and respond to Hacker [REDACTED] e-mails	4.75	\$500.00	\$2,375.00
10/07/2007	MVK	Conference client, Allah K. Karen W, Dr. Baron [REDACTED] [REDACTED]	3.75	\$550.00	\$2,062.50
10/08/2007	JMS	Conference MVK [REDACTED] multiple telephone conferences with Allah K., Baron and Howe [REDACTED]; conference MVK [REDACTED] [REDACTED] memo to file	1.75	\$500.00	\$875.00

Total Fees \$20,625.00

#### Expenses

<u>Date</u>	<u>Description</u>	<u>Charges</u>
	Administrative fee	\$825.00
10/02/2007	Speeway Messenger; filing fee; Ck #8796	\$40.00
Total Expenses		<u>\$865.00</u>

Interest \$20.05

Total New Charges \$21,510.05

Previous Balance \$138,004.70

Balance Due \$159,514.75

1  
2  
3 **PROOF OF SERVICE**

4  
5 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

6 I am employed in the County of Los Angeles, State of California. I am over the  
7 age of 18 and not a party to the within action; my business address is 2049 Century  
8 Park East, Suite 2660, Los Angeles, California 90067.

9 On **October 10, 2007**, I served the document described as **KEECH**  
10 **DECLARATION OF MARK VINCENT KAPLAN IN SUPPORT OF RESPONDENT'S**  
11 **OSC REQUEST FOR PAYMENT OF ATTORNEY FEES AND COSTS;**  
12 **RESPONDENT'S INCOME AND EXPENSE DECLARATION** on the interested parties in  
13 this action two copies thereof, as follows:

14  
15 Tara L. Scott, Esq.  
16 Trope and Trope  
17 12121 Wilshire Blvd., Suite 801  
18 Los Angeles, CA 90025

19  
20 ☐ **BY MAIL**

21 ☐ I caused such envelope(s) to be deposited in the mail at Los Angeles,  
22 California.

23 ☐ I am "readily familiar" with the firm's practice of collection and processing  
24 correspondence for mailing. It is deposited with the U.S. postal service on  
25 that same day in the ordinary course of business. I am aware that on  
26 motion of party served, service is presumed invalid if postal cancellation  
27 date or postage meter date is more than 1 day after date of deposit for  
28 mailing in affidavit.

☐ **VIA OVERNITE EXPRESS:** I caused such envelope to be deposited in an  
Overnite Express Drop-Off Box regularly maintained by Overnite Express at the  
Century Plaza Towers, Los Angeles, California. The envelope was designated  
for next business day delivery, with all charges billed to sender.

☒ **BY PERSONAL SERVICE:** I caused delivery of such envelope by hand to the  
offices of the addressee.

☐ **BY FACSIMILE TRANSMISSION:** I caused the above document to be served  
via facsimile transmission to the party(ies) at the facsimile telephone number(s)  
listed above.

I declare under penalty of perjury under the laws of the State of California that  
the above is true and correct.

Executed on October 10, 2007 at Los Angeles, California.

  
Elizabeth Che